

Meeting of the Board of Land and Natural Resources
May 26, 2023

Handout for Agenda Item F-3
Briefing on Proposed Adoption of a New Chapter, Chapter 13-60.11, Hawaii Administrative Rules,
“Kīpahulu Community-Based Subsistence Fishing Area, Maui”



Created by Kīpahulu 'Ohana

**feel free to take notes and follow along through the presentation*

1.

Aloha kākou, my name is Kamalei Pico and I am a lineal descendant of Papauluana & Wailamoa in the Kīpahulu Moku. I am the Executive Director of the non-profit organization, Kīpahulu 'Ohana. Our team of organizers put together this Marine Management Plan and rules for the 5.7 miles of cherished coastline from Kālepa Gulch to Pua'alu'u Gulch. This management plan is the result of hard work over many years, dedication from community members, and reflects the traditional practices and mana'o from our kūpuna. Our work began in 1995 as an effort to preserve the traditional cultural practices of Kīpahulu and to protect our subsistence lifestyle. Today has been long awaited!



We, the community of Kīpahulu are the lineal descendants of this moku and the greater area of East Maui. East Maui, from Ke'anae to Kaupō, is widely known as “one of the last Hawaiian places.” Kīpahulu residents live simply, off the grid, generating our own power, hunting and gathering food, obtaining water through catchment systems, streams, and wells. Our lifestyle is reminiscent to ways of old.

2.

In 1995, Kipahulu Ohana, Inc. was formed. Since that time, we have been in a co-management relationship with the Haleakalā National Park through a Cooperative Agreement for the stewardship of Kapahu Living Farm.

We maintain Kapahu as an active, productive lo'i kalo and also as an educational center, providing hands-on experience for thousands of students, community members and visitors, while also distributing poi and other farm grown products to the community of Maui Hikina.



3.

In 2010, we initiated our Mālama I Ke Kai program to add a makai component to our ahupua'a management programs. We wrote an action plan developed over two years with the support of The Nature Conservancy-Maui Marine Program and other partners, with input from more than 50 community members, fishermen, scientists, managers, and teachers. We identified the unsustainable harvest of fish, limu, and 'opihi as pressing issues contributing to the degradation of the marine environment within our moku.

To quote a study conducted in 2014, "If fishing access increases without additional management in place, Kīpahulu could experience rapid and significant declines in fish abundance and biomass, similar to other more populated areas on Maui." (Minton, 2014)



4.

Kīpahulu moku is an essential and extensively used traditional fishing and gathering area, sustaining the local population for centuries. Kīpahulu was prized by the Hawaiian ali'i for its fertile 'āina and kai and is a cultural kīpuka for traditional knowledge and practices.

For the Kīpahulu community, fishing is a way of life and an integral part of our community's identity through practices such as: hukilau, canoe building, pound and palu fishing, throw net, and akule fishing.



Akule fishing in particular is a traditional community-based event, where 20 to 30 people prepare and join the nets, surround the fish and use divers to secure the catch. Everyone who helps gets a share. Fishers go to traditional look-out points to watch for certain colors and behaviors to know when the akule are aggregating and spawning, to ensure harvest takes place after the fish spawn.

Other species are critical to this practice too. For example 'omilu, kahala, and 'ulua are cowboy fish, herding the akule as lawai'a surround.

5.

Our kūpuna are with us through this process and many have passed on since we started the work to pursue this designation. This above all else shows the passage of time and emphasizes the importance and urgency to protect what we have, while we have it.

Our kūpuna are the ones who taught us through years of observations and practice:

- how to be konohiki and stewards of our place
- how to harvest and interact in pono ways
- how to kilo or observe our surroundings
- and how to give back to the land so that our keiki will thrive

They taught us to think 7 generations ahead and behind, that resources can continually be available to nourish us from the 'āina and kai when both are cared for and connections are restored.

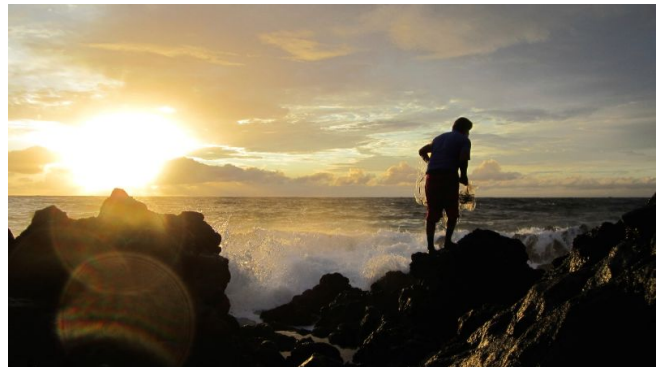


6.

A CBSFA for our community is the right fit to protect our subsistence lifestyle, traditions, resources, and legacy. It is a designation we've chosen, and a space that would allow for ample fishing to feed 'ohana now and into the future, with places set aside to rest and replenish the ice box.

We define our community in the context of the CBSFA as having a hoā'āina relationship to place, as indicated through genealogy, practice, or residency.

Today, we proudly stand before you to reaffirm our relationship to our traditional practices. We bring forth this marine management plan on behalf of the natural resources we speak for, our community, and our kūpuna.



7.

The very first draft of the rules presented today was started in 2010. The following 10+ years have been focused on Community Outreach to finalize the rules, encourage feedback, and spread the word about this designation.

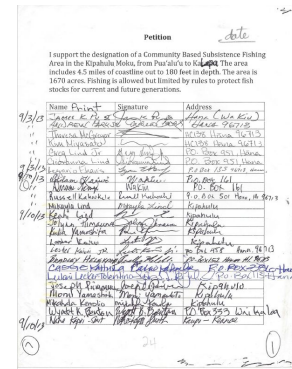
I refer you to our Administrative Record for a full account of our extensive Community Outreach. For now, I will review the methods we've used to conduct outreach and the estimated numbers of people engaged.



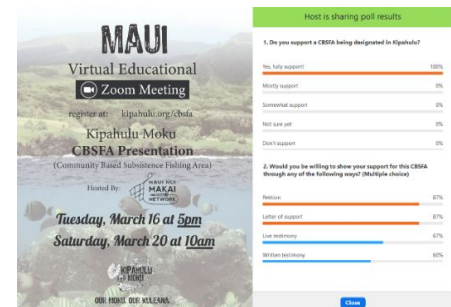
8.

To describe our outreach methods, between 2013 and 2023, members of Kīpahulu 'Ōhana shared about the proposed CBSFA through:

- A Petition of Support by East Maui Residents (from Ke'anae to Kaupō), including going door to door to gather over 600 signatures.



- Virtual public scoping meetings led by Kīpahulu 'Ōhana in January, March & September 2021. Each presentation had polls to gauge understanding, level of support, and feedback for the CBSFA.



- A virtual Public Scoping Meeting led by DAR in June 2022.



- Tabling or presenting at events (such as the Hawai'i Conservation Conference, Hāna Limu Festival, East Maui Taro Festival, E Alu Pū gatherings, Coral Reef Task Force meetings, and Maui Nui Makai Network gatherings and Speaker Series to name a few).



- 1:1 and group fisher meetings and talk story sessions both on Zoom and in person.
- Kīpahulu site visits, such as the one pictured on April 4, 2022 with DAR, DOCARE, state legislators, Maui County mayor, and community.
- CBSFA Steering Committee Meetings that included DAR and DOCARE early on to establish trust and a co-management relationship.
- Visits with decision-makers at the legislature, with OHA, the Maui County Council, Haleakalā National Park staff, and one on one conversations.
- Hosting volunteer days at the 'Opihi Rest Area.
- Engagement with students through classroom visits and field trips.
- Engagement with kūpuna through presentations at Hale Hulu Mamo and Aha Moku o Kaupō Kūpuna Council Meetings.
- East Maui community meetings including Kīpahulu Community Association, Aha Moku, and Hāna Community Endowment Fund meetings.



- Materials on social media platforms and our website, such as informational posts, online surveys, and feedback forms.

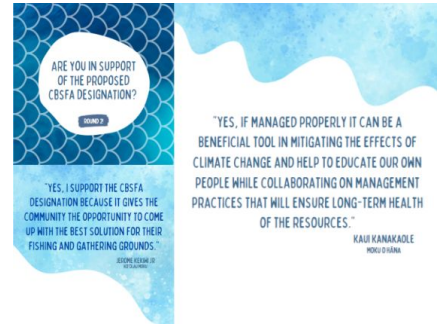
- Several videos highlighting the CBSFA published on our website and social media channels.

- Publications and media, including articles and interviews in Hānaside News, Kaupō Community Newsletter, The Maui News, Maui Now, Honolulu Star Advertiser, Ka Wai Ola o OHA, Hawaiian Airlines Hana Hou magazine, Hawai'i Public Radio, Hawai'i Business Magazine, and Pacific Business News.

- Email blasts and listservs to distribute information.

- And always, an open door and informational kiosk at Kalena Triangle.

To sum that up into a number, that's over 175 total outreach efforts related to our CBSFA!



9.

The estimated reach of our efforts across Maui, Hawai'i, and the world looks something like this:

- 685 East Maui Residents from Ke'anae to Kaupō signed a petition in SUPPORT of the Kīpahulu Moku CBSFA.
- 4,000 additional Maui and Hawai'i public engaged, including East Maui residents, keiki, and kūpuna.
- 50+ Members of DAR and DOCARE have been included and informed in our process.
- 30+ Legislators have been engaged in the process.
- Over 250,000 people reached worldwide through 38 publications and media events.

That's over 260,000 people reached since we started counting in 2013.

I hope these numbers impress upon you the amount of work, time, blood, sweat, and tears we have put into this proposal.

But what matters to us most is the clear support we have from within our own community and across East Maui.

Estimated Reach From our Outreach Efforts (2013-2023)



10.

The last thing I'd like to focus on and draw attention to is some of the critical feedback we've received along the way and how we've worked to listen and address it.

The main opposition we receive through the scoping process had to do with the proposed Kukui Bay Sanctuary. In their presentation, the Division of Aquatic Resources will go more into depth about the rules package and boundaries, but I wanted to share about this area from the community perspective.

Kukui Bay was chosen as a Sanctuary, or no-take area, because it is one of the most biologically diverse areas in Kīpahulu, home to many different types of fish and invertebrates. It is an important estuary for reproduction of some species and recruitment of others. If protected, it will benefit those who fish the area fronting the Haleakalā National Park campground and other areas surrounding the Sanctuary.

The scoping process revealed concerns that the proposed boundary would block access for those who wanted to safely get in and out of the water at Kukui Bay to fish in other areas, as this was a main entry point for spearfishers. Others were opposed to having a sanctuary at all, being against the concept of a closed area. We worked closely with DAR and met one on one with opposition to listen, share, and come to a place where everyone could live with the outcomes, which is an adjustment to the boundary line that would allow safe entry for fishers while maintaining the integrity of the sanctuary.



11.

There is also a general misunderstanding that CBSFAs are Closed Areas that do not allow fishing and therefore harm the people. And that is simply not true. The vast majority of the Kīpahulu CBSFA is open to pono harvest.

This is an area intended to feed our community and those who respectfully harvest in this area for the generations to come. We want to be able to fish forever, and this is part of how we plan to achieve that.



12.

Mahalo for allowing us to share.

We are the caretakers of this 'āina and kai, and the living keepers of our culture, patiently acquired by our ancestors.

With our kūpuna here in spirit, we are asking for the opportunity to now take our proposal to public hearing to move forward through the Chapter 91 process and hear additional feedback.

Mahalo.

